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1972/09/15

THE WHITE HOUSE

WASHINGTON

~~TOP SECRET~~/SENSITIVE
EXCLUSIVELY EYES ONLY

MEMORANDUM OF CONVERSATION

PARTICIPANTS:	Le Duc Tho, Special Advisor to the North Vietnamese Delegation Xuan Thuy, Minister, Chief North Vietnamese Delegate to the Paris Peace Talks Mr. Phan Hien, Adviser to the North Vietnamese Delegation Mr. Nguyen Dinh Phuong, Interpreter Mr. Thai, Notetaker
	Dr. Henry A. Kissinger, Assistant to the President for National Security Affairs Mr. Winston Lord, NSC Staff Member Mr. John Negroponte, NSC Staff Member Cdr. Jonathan Howe, NSC Staff Member Mr. David Engel, Interpreter Miss Irene G. Derus, Notetaker
DATE AND TIME:	September 15, 1972 9:55 a.m. - 3:55 p.m.
PLACE:	11, Rue Darthe Choisy-le-Roi, France

[redacted]

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DP

DECLASSIFIED
E.O. 12356, Sect. 3.4
NSC 9/21/93 F9301192
By MKO NARA, Date 9/29/93
SA 99

Dr. Kissinger: I have three technical things if I may raise them so that we can start our meeting without additional controversy.

[redacted]

The third point has to do with the release of prisoners. We appreciate of course that you are releasing those three prisoners and if you had released them to us or to some neutral country it would have produced some obligatic of reciprocity, but you released them to a group of people who are better known in Hanoi than the United States and who are using it now to make prop ganda and you have the opposite effect from the one you expect and it will frankly not make a very positive contribution and in my view will not help your position. But that is your problem. But I hope you can stop using the prisoners in order to influence our domestic situation because this way it will just produce bad feeling.

[redacted]

[redacted]

Dr. Kissinger: Let me say one more word about the prisoners. It is entir up to you whether you violate understandings or whether you release them with respect to our meeting or whether you release them to an organization like the one you are giving them to. You will see it will actually do you dar to release them to this group. You will see it. But if you had released the to us or brought them to Vientiane or to the Swedish Government it would have done you a great deal more good but I have trouble enough advising m own government. I don't want to waste valuable time advising the Governm of Hanoi. I don't want to waste time.

Special Adviser Le Duc Tho: Let me add a few sentences to end this part. Regarding the statement of the PRG I feel we have kept what we have told you. Moreover this is an affair of the PRG itself. Moreover it does not mention anything about these private meetings. It only repeats what it has said previously, the PRG.

Regarding the question of prisoners -- it is one question which will be neg tiated between us and you. And this, the release, this time is not the firs one. I am two years negotiating with Ambassador Harriman and Presiden Lyndon Johnson. We had released two prisoners and at these times the prisoners were handed to social organizations too. This is only a manife tation of our good will.

[redacted]

Here then is our new proposal. It presents great difficulties for our friends but we are confident that if you and we agree, it can be implemented.

Now let me ask the Special Adviser and the Minister how I should proceed. I can either read the entire plan including the portion unchanged from the last time or just the new portion. Which do you prefer?

Special Adviser Le Duc Tho: I propose that you read the whole proposal.

Dr. Kissinger: All right. I just said it in the interest of time. If we can meet again that is no problem.

[redacted]

Dr. Kissinger (aside to Mr. Lord): He understands every word.

3. The release of all military men and innocent civilians captured throughou Indochina will be carried out simultaneously with and completed on the same day as the aforesaid troop withdrawal. The parties will exchange complete lists of the military men and innocent civilians captured throughout Indochina on the day of the signing of the overall agreement.

[redacted]

We accept your position on the implementation of various aspects of an agreement. As you know, our view has been that certain aspects of a settlement, such as withdrawals and the release of prisoners, could be carried out while other details were still being worked on. While we continue to object strongly to your holding our prisoners as hostage, we are prepared to change our position on the sequence issue as well.. To show our good will and to remove your fear that we might renege on an agreement in principle, we now agree that implementation of the withdrawal and prisone provisions would not begin until all negotiations are completed and overall agreement is reached.

In addition to these new elements, we have retained our previous offers, such as U.S. neutrality toward the political process; eligibility for all political forces in all branches of government; and guarantees under Article 14 (C) of the 1954 Geneva Agreements on which you have specifically insisted

[redacted]

[redacted] One month is enough. The quicker you withdraw from Vietnam then the quicker American pilots captured will be returned to their country. But as a sign of good will we propose that now this period be 45 days. It is a reasonable period. It does not take mor time for the troop withdrawal. And the troop withdrawal will be carried out in parallel with the release of military men and civilians of two parties. Therefore the wording we would propose to say is : The total release of people of the parties, militarymen and civilians captured during the Vietnam war (including American pilots captured in North Vietnam). It is a more accurate wording than what you call "innocent civilians."

[redacted]

[redacted] The fact that we have speeded up the election process but now you tell us too much (Laughter). The fact that we agree to settle military and political issues together before withdrawal and POW releases begin. These are elements that you should study carefully, and also our interpretation of the ceasefire.

Special Adviser Le Duc Tho: Our views are different in connection with the resignation of Thieu.

Dr. Kissinger: We have a number of differences.

[redacted]

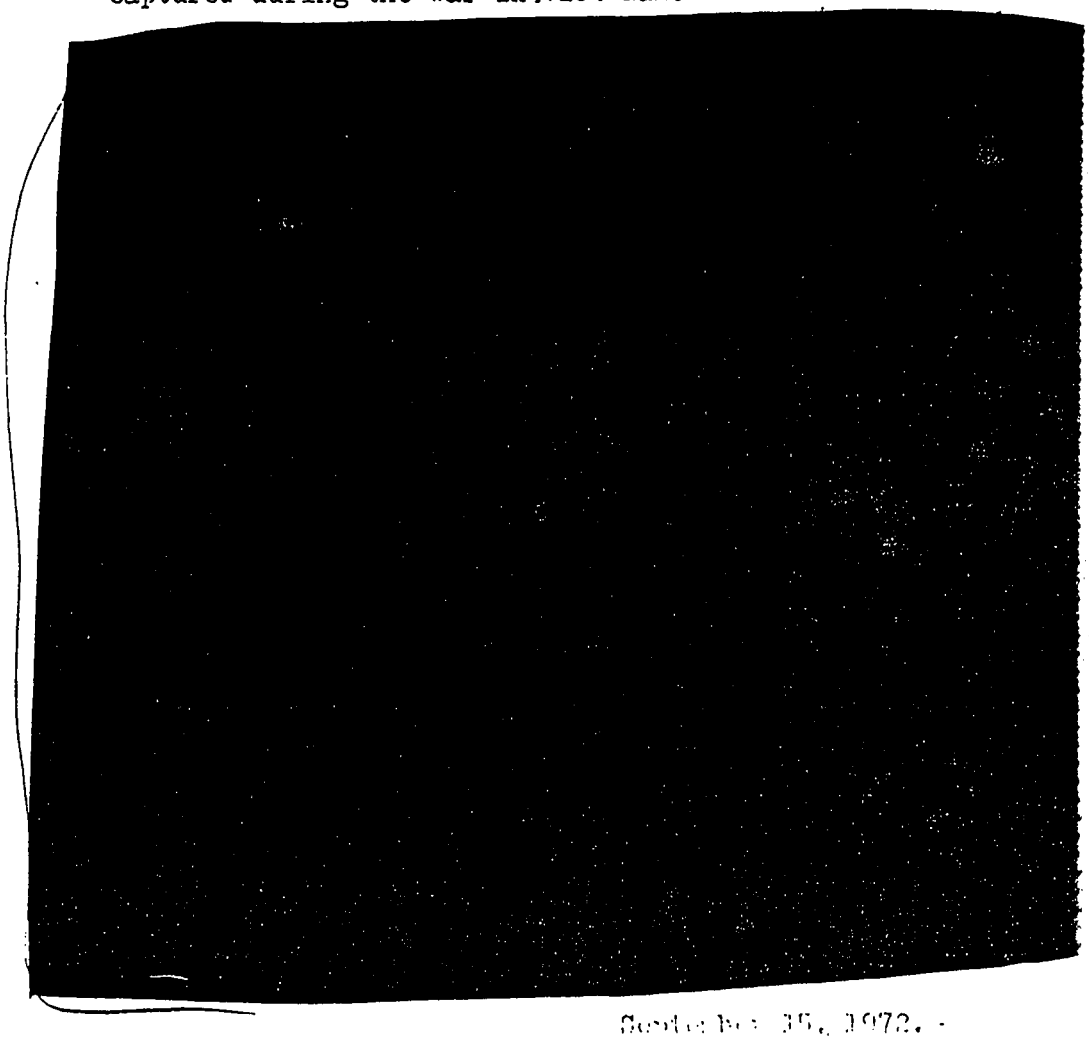
[redacted]

3. The release of all military men and innocent civilians captured throughout Indochina will be carried out simultaneously with and completed on the same day as the aforesaid troop withdrawal. The parties will exchange complete lists of the military men and innocent civilians captured throughout Indochina on the day of the signing of the overall agreement.

D. The fourth forum: the forum between the D.R.V.N., the P.R.G. of the R.S.V.N., the U.S., and the Saigon Administrati will, on the basis of the agreements reached on the questions mentioned for the above forums, prepare for the signing of the overall agreement on the Viet Nam problem. This forum will discuss more concretely on :

- carrying out the total withdrawal from South Viet Nam of U.S. forces and those of the other foreign countries in the U camp.

- carrying out the release of people of the parties captured during the war in Viet Nam.



Saigon Nov. 25, 1972.